

DRAWING AMENDMENTS:

Please substitute the enclosed Replacement Sheets for the corresponding original drawing sheets.

The drawings have been amended as follows:

In FIGS. 1-9:

Figs. 1-9 have been amended to correct the informalities noted in the Notice of Draftsperson's Patent Drawing Review (Form PTO-948) attached to the October 12, 1999 Office Action.

In FIGS. 8 and 9:

Figs. 8 and 9 have been labeled as --PRIOR ART--.

REMARKS

Applicant respectfully requests reconsideration and allowance of the application in view of the foregoing amendments and the following remarks.

Claims 230-237 are pending in the application, with Claims 230, 234, and 237 being independent. Claims 230, 234 and 237 have been amended. Support for these amendments can be found in the original disclosure, at least in Fig. 6 and the description of Steps S1 and S2. No new matter has been added.

The specification has been amended to incorporate the continuing lineage from the parent application and to incorporate corrections to the issued patent as indicated in the Certificate of Correction. Since the subject application was filed before November 29, 2000, no fee is believed due in connection with this Amendment.

Applicant herewith submits eight (8) sheets of formal drawings to be substituted for the corresponding drawing sheets presently on file in the above-identified application. In the Replacement Sheets, the drawings have been amended to address the informalities noted in the Notice of Draftsperson's Patent Drawing Review (Form PTO-948) attached to the October 12, 1999 Office Action, and Figs. 8 and 9 have been labeled as --PRIOR ART--.

In the Office Action, Claims 230-237 have been rejected under the judicially created doctrine of double patenting ("non-obviousness-type double patenting"), as being unpatentable over Claims 1-224 of U.S. Patent No. 6,298,388 ("the '388 patent"). This rejection is respectfully traversed. Non-obviousness-type double patenting is based on *In re Schneller* 397 F.2d 350, 158 USPQ 210 (CCPA 1968). The MPEP provides that "[n]on-statutory double patenting rejections based on *In re Schneller* **will be rare**," and "are limited to the particular set of facts set forth in that decision." MPEP § 804(B)(2). Moreover, according to the MPEP, this

type of double patenting rejection must be approved by a Technology Center Director. Applicant submits that the facts necessary to support an *In re Schneller* rejection are not present in the subject application. In particular, Applicant submits that the claimed invention is not “covered” by the claims in the ‘388 patent.

Claims 230, 234 and 237, as presently presented, each recite, *inter alia*, discriminating the device type of the connected external device, in response to recognizing the connection of the external device.

In contrast, Claim 1 of the ‘388 patent, for example, states that “said central processing unit performs parallel data transmission . . . when said central processing unit determines that a pseudo IC card is connected to said IC and pseudo IC card connector and the pseudo IC card control driver is loaded into the second memory,” while claim 9 of that patent states that “said central processing unit executes a program for loading the IC card control driver or the pseudo IC card control driver when said apparatus is turned on.” The other claims of the ‘388 patent likewise recite features not possessed by the presently claimed invention. Thus, the claims of the ‘388 patent do not cover the invention of the present claims, which include the feature of discriminating the device type of the connected external device, in response to recognizing connection of the external device.

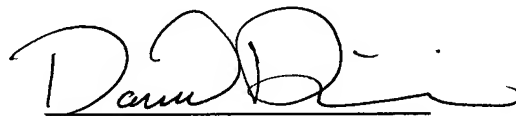
Accordingly, Applicant submits that the independent claims are patentable over the claims of the ‘388 patent. Reconsideration and withdrawal of the double patenting rejection is requested.

Further, Applicant submits that the dependent claims should be allowable for the same reasons that the base claims from which they depend are allowable, and further due to the additional features that they recite. Individual consideration of each dependent claim is respectfully requested.

Applicant submits that the application is in condition for allowance. Favorable consideration of the claims and passage to issue of the application at the Examiner's earliest convenience are requested.

Applicant's undersigned attorney may be reached in Washington, D.C. by telephone at (202) 530-1010. All correspondence should continue to be directed to the below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David A. Divine", written over a horizontal line.

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Attachment: Replacement Drawing Sheets for Figs. 1-9

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